

Message Text

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ORIGIN EB-07

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R 132220Z JAN 77
FM SECSTATE WASHDC
TO AMEMBASSY BUENOS AIRES

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E.O. 11652: N/A

TAGS: EAIR

SUBJECT: CIVAIR: STATUS US-ARGENTINE CONSULTATIONS

REF: A) STATE 3044, B) BUENOS AIRES 113

1. FURTHER TO REF A DEPARTMENT IS SKEPTICAL THAT PRODUCTIVE CONSULTATIONS COULD TAKE PLACE IN PRESENT ATMOSPHERE OF HARDENING ARGENTINE ATTITUDES EVIDENCED BY UNILATERAL RESTRICTIVE ACTIONS. ALTHOUGH IT IS TRUE THAT NO FORMAL AGREEMENTS EXIST WHICH PRECLUDE IMPOSITION OF QUOTAS (PER LANGHI'S COMMENTS REPORTED REFTEL B), BOTH SIDES AGREED DURING JANUARY, 1976 CONSULTATIONS TO AVOID "UNPLEASANT SURPRISES" AND MAINTAIN STATUS QUO. QUOTAS PLACED ON BRANIFF DISRUPT THIS STATUS QUO AND TILT BALANCE OF ECONOMIC BENEFITS IN FAVOR OF ARGENTINA. QUOTA PROBLEM IS LATEST IN A SERIES OF OBSTACLES PLACED IN PATH OF
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NORMAL AIRLINE RELATIONS. OTHER OBSTACLES INCLUDE:
A) 5TH FREEDOM RESTRICTIONS; B) ARGENTINE POLICIES LIMITING OPERATIONAL FLEXIBILITY OF US AIRLINES, I.E., FREEDOM TO CHANGE GAUGE; C) REFUSAL TO AUTHORIZE 9TH FREQUENCY FOR BRANIFF; AND D) WIDE BODY AIRCRAFT RESTRICTIONS. ARGENTINES APPARENTLY WILLING TO REMOVE ANY OR ALL OF ABOVE ONLY AT THE PRICE OF OBTAINING ADDITIONAL

TRAFFIC RIGHTS TO US. ALTHOUGH WE REALIZE THAT MANY OF

THE ABOVE RESTRICTIONS ARE INCORPORATED INTO ARGENTINE LAW, WE CANNOT ACCEPT THE PROPOSITION THAT THE ONLY WAY OF REMOVING UNILATERALLY-IMPOSED RESTRICTIONS ON THE OPERATION OF EXISTING US ROUTES TO ARGENTINA IS TO GRANT ARGENTINES ADDITIONAL ROUTE RIGHTS TO US. IT MAY BE ESSENTIAL TO IMPRESS THIS POINT ON THE HIGHEST LEVELS OF GOA AND TO INFORM THEM THAT MEANINGFUL NEGOTIATIONS CAN ONLY TAKE PLACE IF THERE IS NEGOTIATING FLEXIBILITY ON ISSUES WITH EMPHASIS ON NEED TO REMOVE IMPEDIMENTS TO EFFICIENT AIRLINE OPERATIONS.

2. WE ARE CONTEMPLATING THE POSSIBILITY OF IMPOSING COUNTERVAILING RESTRICTIONS ON 5TH FREEDOM OPERATIONS OF AEROLINEAS ARGENTINES IN ORDER TO MORE NEARLY EQUALIZE BARGAINING SITUATION. THESE RESTRICTIONS COULD BE IMPLEMENTED BY THE CAB THROUGH A SHOW CAUSE PROCEEDING SO THAT ARGENTINES WOULD BE PLACED ON NOTICE AND GIVEN THE OPPORTUNITY TO NEGOTIATE ISSUES BEFORE RESTRICTIONS ARE ACTUALLY IMPOSED. ANOTHER POSSIBILITY IS TO TAKE ACTION LIMITING CARGO OPERATIONS OF THE ARGENTINE ALL-CARGO AIRLINES.

3. BEFORE RESPONDING TO EMBASSY'S SUGGESTION OF HOLDING EARLY TALKS, WE WOULD APPRECIATE YOUR VIEWS ON ABOVE, ESPECIALLY THE DESIRABILITY OF MAKING A HIGH-LEVEL PRESENTATION TO GOA AND LIKELY EFFECT ON GOA OF US MOVE TO RESTRICT AEROLINEAS.

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